

**U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE**  
**FORM PTO-1449**  
**OCT 27 2003**  
 List of Information Cited by Applicant  
 Page 1 of 1

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| ATTY. DOCKET NO.<br>GENO.200.1/CIP | SERIAL NO.<br>10/079,042 |
| APPLICANT<br>MESSIER               |                          |
| FILING DATE<br>FEBRUARY 19, 2002   | GROUP<br>5992            |

| U.S. PATENT DOCUMENTS |    |                 |      |      |     |         |           |
|-----------------------|----|-----------------|------|------|-----|---------|-----------|
| EXAM. INITIAL         |    | DOCUMENT NUMBER | DATE | NAME | CLS | SUB-CLS | FILE DATE |
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| FOREIGN PATENT DOCUMENTS |    |                 |      |         |     |         |         |
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|                          | AW |                 |      |         |     |         |         |
|                          | AX |                 |      |         |     |         |         |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |  |         |
|---|--|---------|
| AY  | Lin et al. (2000) Plant Physiol 122:379-388    |         |
| AZ  | Nakazono et al. (1996) Curr. Genet. 29:412-416 |         |
| AAA   |  |         |
| AAB   |  |         |
| AAC   |  |         |
| AAD   |  |         |
| EXAMINER  | HORLICK  |         |
|   | DATE CONSIDERED                                | 9/21/04 |
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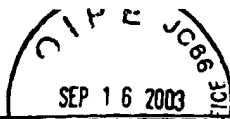
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| <b>FORM PTO-1449</b><br><b>U.S. DEPARTMENT OF<br/>COMMERCE PATENT<br/>AND TRADEMARK<br/>OFFICE</b><br><br>List of Information Cited by Applicant<br>Page 1 of 1 | <b>ATTY. DOCKET NO.</b><br>GENO200.1/CIP | <b>SERIAL NO.</b><br>10/079,042 |
|   | <b>APPLICANT</b><br>MESSIER              |                                 |
|   | <b>FILING DATE</b><br>FEBRUARY 19, 2002  | <b>GROUP</b>                    |
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| U.S. PATENT DOCUMENTS |    |                    |      |      |     |             |              |
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| FOREIGN PATENT DOCUMENTS |    |                    |          |         |     |            |            |
|--------------------------|----|--------------------|----------|---------|-----|------------|------------|
| EXAM.<br>INITIAL         |    | DOCUMENT<br>NUMBER | DATE     | COUNTRY | CLS | SUB<br>CLS | TRANS<br>? |
| RMA                      | AB | EP 0332104         | 09/13/89 | EP      |     |            |            |
|                          | AC | EP 0359472         | 03/21/90 | EP      |     |            |            |
|                          | AD | EP 0385962         | 09/05/90 | EP      |     |            |            |
|                          | AE | EP 0452269         | 10/16/91 | EP      |     |            |            |
|                          | AF | WO 93/07278        | 04/15/93 | PCT     |     |            |            |
|                          | AG | WO 95/16783        | 06/22/95 | PCT     |     |            |            |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |     |  |
|--|-----|--|
| RMA  | AH  | Brachmann et al. (1998) Yeast 14:115-132                     |
|  | AI  | Essl et al. (1999) FEBS Letters 453:169-173                  |
|  | AJ  | Firek et al. (1993) Plant Molecular Biology 22:129-142       |
|  | AK  | Framond et al. (1991) FEBS 290(1,2):103-106                  |
|  | AL  | Goldschmidt-Clermont (1991) Nuc. Acids Res. 19(15):4083-4089 |
|  | AM  | Hauser et al. (2001) Mol. Mem. Biol. 18:105-112              |
|  | AN  | Hauser (2000) J. Biol Chem 275:3037-3041                     |
|  | AO  | Horie et al. (2001) Plant J. 27(2):129-138                   |
|  | AP  | Hudspeth et al. (1989) Plant Mol. Biol. 12:579-589           |
|  | AQ  | Joshi (1987) Nuc. Acids Res. 15(16):6643-6653                |
|  | AR  | Logeman et al. (1989) Plant Cell 1:151-158                   |
|  | AS  | Lubkowitz et al. (1997) Microbiology 143:387-396             |
|  | AT  | Matsukura et al. (2000) Plant Physiol 124:85-93              |
|  | AU  | McBride et al. (1994) Proc Natl Acad Sci USA 91:7301-7305    |
| RMA  | AV  | Morgenstern (1999) Bioinformatics 15(3):211-218              |
|  | AAA | Murray et al. (1989) Nuc. Acids Res. 17(2):477-498           |
| EXAMINER <b>HORLICK</b>  |     | DATE CONSIDERED <b>9/21/04</b>                               |

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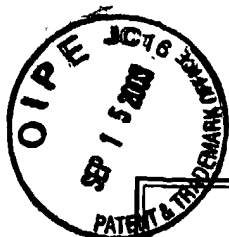


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| FORM PTO-1449<br>U.S. DEPARTMENT OF<br>COMMERCE PATENT<br>AND TRADEMARK<br>OFFICE<br><br>List of Information Cited by Applicant<br><br>Page 2 of 2 | ATTY. DOCKET NO.<br>GENOMICS/200.1/CIP | SERIAL NO.<br>10/079,042 |
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|  | FILING DATE<br>FEBRUARY 19, 2002       | GROUP                    |

| U.S. PATENT DOCUMENTS |    |                    |      |      |     |             |              |
|-----------------------|----|--------------------|------|------|-----|-------------|--------------|
| EXAM.<br>INITIAL      |    | DOCUMENT<br>NUMBER | DATE | NAME | CLS | SUB-<br>CLS | FILE<br>DATE |
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| FOREIGN PATENT DOCUMENTS |    |                    |      |         |     |            |            |
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|                          | BB |                    |      |         |     |            |            |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |    |   |
|---|----|---|
| RA  | BC | Peng et al. (1999) Nature 400:256-261                                 |
|   | BD | Roessner (2001) Plant Cell 13:11-29                                   |
|   | BE | Rohrmeier et al. (1993) Plant Mol. Biol. 22:783-792                   |
|   | BF | Seki et al. (2001) Plant Cell 13:61-72                                |
|   | BG | Sengupta-Gopalan et al. (1985) Proc. Natl. Acad. Sci USA 82:3320-3324 |
|   | BH | Song et al. (1997) Plant Physiol 114:927-9358                         |
|   | BI | Stanford et al. (1989) Mol Gen Genet 215:200-208                      |
|   | BJ | Staub et al. (1993) EMBO Jour. 12(2):601-606                          |
|   | BK | Steiner et al. (1994) Plant Cell 6:1289-1299                          |
|   | BL | Steiner et al. (1995) Mol Micro 16(5):825-834                         |
|   | BM | Svab et al. (1990) Proc Natl Acad Sci USA 87:8526-8530                |
|   | BN | Svab et al. (1993) Proc Natl Acad Sci USA 90:913-917                  |
|   | BO | Warner et al. (1993) Plant Journal 3(2):191-201                       |
|   | BP | West et al. (1998) Plant Journal 15(2):221-229                        |
|   | BQ | Wu et al. (2002) Plant Cell 14:525-535                                |
|   | BR | Xu et al. (1993) Plant Mol Biol 22:573-588                            |
| RA  | BS | Yan et al. (1997) Plant Physiol 115:915-924                           |
|   | BT |   |
|   | BU |   |
|   | BV |   |
| EXAMINER <u>HORLICK</u> DATE CONSIDERED <u>9/21/02</u>  |    |   |
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## ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

Stylesheet Version v18.0

Title of  
Invention

Methods to Identify Evolutionarily Significant Changes in  
Polynucleotide and Polypeptide Sequences in in  
Domesticated Plants and Animals

Application Number: 10/079042  
Confirmation Number: 5992  
First Named Applicant: Walter Messier  
Attorney Docket Number: GENO2001CIP  
Art Unit: 1637  
Search string: ( 5451513 or 5545531 or 5545817 or 5545818  
or 5614395 or 5625136 ).pn.

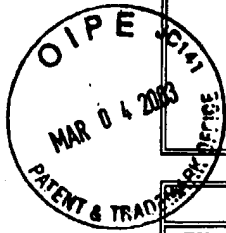
### US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

| init                                | Cite.No. | Patent No. | Date       | Patentee      | Kind | Class | Subclass |
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| <input checked="" type="checkbox"/> | 1        | 5451513    | 1995-09-19 | Maliga et al  |      |       |          |
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| <input checked="" type="checkbox"/> | 5        | 5614395    | 1997-03-25 | Ryals et al   |      |       |          |
| <input checked="" type="checkbox"/> | 6        | 5625136    | 1997-04-29 | Koziel et al  |      |       |          |

Signature

| Examiner Name | Date    |
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| FORM PTO-1449<br>U.S. DEPARTMENT OF<br>COMMERCE PATENT<br>AND TRADEMARK<br>OFFICE<br><br>List of Information Cited by Applicant<br>Page 1 of 1 | ATTY. DOCKET NO.<br>GENO200.1/CIP | SERIAL NO.<br>10/079,042 |
|  | APPLICANT<br>MESSIER              |                          |
|  | FILING DATE<br>FEBRUARY 19, 2002  | GROUP<br>1637            |

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| U.S. PATENT DOCUMENTS |    |                 |          |                  |     |         |           |
|-----------------------|----|-----------------|----------|------------------|-----|---------|-----------|
| EXAM. INITIAL         |    | DOCUMENT NUMBER | DATE     | NAME             | CLS | SUB-CLS | FILE DATE |
| 9/24                  | AA | 5492820         | 02/20/96 | SONNEWALD ET AL. |     |         |           |
|                       | AB |                 |          |                  |     |         |           |

| FOREIGN PATENT DOCUMENTS |    |                 |      |         |     |         |         |
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| EXAM. INITIAL            |    | DOCUMENT NUMBER | DATE | COUNTRY | CLS | SUB-CLS | TRANS ? |
|                          | AC |                 |      |         |     |         |         |
|                          | AD |                 |      |         |     |         |         |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |                         |   |
|--|-------------------------|---|
| 124  | AE                      | RAZ ET AL. (1992) MOL GEN GENET 233:252-259 |
|  | AF                      |   |
|  | AG                      |   |
|  | AH                      |   |
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| EXAMINER   | HURLICK                 |   |
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| FORM PTO-1449<br>U.S. DEPARTMENT OF<br>COMMERCE PATENT<br>AND TRADEMARK<br>OFFICE<br>List of Information Cited by Applicant<br>Page 1 of 3 | ATTY. DOCKET NO.<br>GENO200.1/CIP | SERIAL NO.<br>10/079,042 |
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|  | FILING DATE<br>FEBRUARY 19, 2002  | GROUP                    |



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| U.S. PATENT DOCUMENTS |    |                 |          |                |     |         |           |
|-----------------------|----|-----------------|----------|----------------|-----|---------|-----------|
| EXAM. INITIAL         |    | DOCUMENT NUMBER | DATE     | NAME           | CLS | SUB-CLS | FILE DATE |
| RA                    | AA | 6,228,586       | 01/29/99 | Messier et al. |     |         |           |
|                       | AB |                 |          |                |     |         |           |

| FOREIGN PATENT DOCUMENTS |    |                 |          |         |     |         |         |
|--------------------------|----|-----------------|----------|---------|-----|---------|---------|
| EXAM. INITIAL            |    | DOCUMENT NUMBER | DATE     | COUNTRY | CLS | SUB CLS | TRANS ? |
| RA                       | AC | 0 120 658 A     | 03/10/84 | EP      |     |         |         |
|                          | AD |                 |          |         |     |         |         |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |   |  |
|---|---|--|
| AE  | • | Alter et al., (1984) Science 226:549-552                         |
| AF  | • | Burger et al. (1994) J. Mol. Evol. 39:255-267                    |
| AG  | • | Doebley et al. (September, 1992) Trends in Genetics 8:(9)302-307 |
| AH  | • | Doebley et al. (1990) Proc. Natl. Acad. Sci. USA 87:9888-9892    |
| AI  | • | Dorwieler et al. (1993) Science 262:233-235                      |
| AJ  | • | Edwards et al. (1995) Molecular Ecology 4:719-729                |
| AK  | • | Endo et al. (1996) Mol. Biol. Evol. 13:685-690                   |
| AL  | • | Fultz et al. (1986) Journal of Virology 38:116-124               |
| AM  | • | Gibbons (09/04/98) Science 281:1432-1434                         |
| AN  | • | Goodman et al. (1990) J. Mol. Evol. 30:260-266                   |
| AO  | • | Goodwin et al. (1996) Mol. Biol. Evol. 13:346-358                |
| AP  | • | Herbert and Easteal (1996) Mol. Biol. Evol. 13:1054-1057         |
| AQ  | • | Hughes (1997) Mol. Biol. Evol. 14:1-5                            |
| AR  | • | Hughes and Nei (1988) Nature 335:167-170                         |
| AS  | • | Jaeger et al. (1994) Immunogenetics 40:184-191                   |
| AAA   | • | Jenkins et al. (1995) Proc. R. Soc. Lond. 261:203-207            |
| AAB   | • | Kreitman and Akashi, (1995) Annu. Rev. Ecol. Syst. 26:403-422    |
| EXAMINER HORLICK  |   |  |
| DATE CONSIDERED 2/21/04   |   |  |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |   |  |

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| <b>FORM PTO-1449</b><br><b>U.S. DEPARTMENT OF<br/>COMMERCE PATENT<br/>AND TRADEMARK<br/>OFFICE</b><br>List of Information Cited by Applicant<br>Page 2 of 3<br><b>MAY 09 2002</b> | <b>ATTY. DOCKET NO.</b><br>GENO200.1/CIP | <b>SERIAL NO.</b><br>10/079,042 |
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| U.S. PATENT DOCUMENTS |    |                    |      |      |     |                          |
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|                          | BB |                    |      |         |     |            |            |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |   |  |
|---|---|--|
| BC  | • | Lee and Vacquier (1992) Biol. Bull. 182:97-104   |
| BD  |   | Lee et al. (1998) AIDS Research and Human Retroviruses 14:1323-1328  |
| BE  | • | Li (1997) in Molecular Evolution, Sinauer Associates, Inc. pub., Sunderland, MA, Table of Contents   |
| BF  | • | Li, (1993) J. Mol. Evol. 36:96-99  |
| BG  | • | Li, (1985) Mol. Biol. Evol. 2:150-174  |
| BH  | • | Lienert and Parham (1996) Immunol. Cell Biol. 74:349-356   |
| BI  | • | Lyn et al. (1995) Gene 155:241-245   |
| BJ  | • | Malcolm et al., Nature 345:86-89 (1990)  |
| BK  | • | McDonald and Kreitman (1991) Nature 351:652-654  |
| BL  | • | Messier and Stewart, Current Biology 4:911-913   |
| BM  | • | Messier and Stewart, (1997) Nature 385:151-154   |
| BN  | • | Metz and Palumbi, Mol. Biol. Evol. 13:397-406  |
| BO  | • | Nakashima et al. (1995) Proc. Natl. Acad. Sci. USA 92:5605-5609  |
| BP  | • | Nei (1987) in Molecular Evolutionary Genetics, Columbia University Press, New York, NY, Table of Contents  |
| BQ  | • | Nei and Hughes (1991) in Evolution at the Molecular Level, Selander, R., Clark, A. and Whittam, T. eds. Sinauer Associates, Inc., Pub., Sunderland, Massachusetts, pp. 222-247 |
| BR  | • | Niewiesk and Bangham, J. Mol. Evol. 42:452-458   |
| BS  | • | Novembre et al. (1997) Journal of Virology 71:4086-4091  |
| BT  | • | Parham and Ohta (1996) Science 272:67-74   |
| BU  | • | Paterson et al. (1995) Science 269:1714-1718   |
| BV  | • | Sharp, Nature 385:111-112 (1997)   |
| EXAMINER <b>HORLICK</b>   |   | DATE CONSIDERED <b>7/21/04</b>   |
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|   | GENO200.1/CIP           |  | 10/079,042        |
|   | <b>APPLICANT</b>        |  |                   |
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| U.S. PATENT DOCUMENTS |    |                    |      |      |     |             |              |
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|                          | CB |                    |      |         |     |            |            |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |   |   |
|---|---|---|
| cc  | • | Swanson and Vacquier, Proc. Natl. Acad. Sci. USA 92:4957-4961 |
| cd  | • | Swanson and Vacquier, Science 281:710-712                     |
| ce  | • | Turcich et al. (1996) Sex Plant Reprod. 9:65-74               |
| cf  | • | Wang et al. (1999) Nature 398:236-239                         |
| cg  | • | Wettstein et al. (1996) Mol. Biol. Evol. 13:56-66             |
| ch  | • | White, S.E. et al. (November 1999) Genetics 153:1455-1462     |
| ci  | • | Whitfield et al. (1993) Nature 364:713-715                    |
| cj  | • | Wilson et al. (Sep. 1999) Genetics 153(1):453-473             |
| ck  | • | Wolinsky et al. (1996) Science 272:537-542                    |
| cl  | • | Wu et al. (1997) J. Mol. Evol. 44:477-491                     |
| cm  | • | Xiao et al. (Oct. 1998) Genetics 150:899-909                  |
| cn  | • | Yang (1998) Mol. Biol. Evol. 15:568-573                       |
| co  | • | Zhou and Li (1996) Mol. Biol. Evol. 13:780-793                |
| EXAMINER <b>HORLICK</b>   |   | DATE CONSIDERED <b>7/21/04</b>                                |
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